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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,528	01/17/2002	Edward E. Elson	0229

CONFIRMATION NO. 3232

## FORMALITIES LETTER



\*OC000000007653112\*

Gene Arant  
Post Office Box 0269  
Lincoln City, OR 97367



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ORIGINALLY FILED

Date Mailed: 03/15/2002

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

*Filing Date Granted*

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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ASSISTANT SECRETARY OF COMMERCE AND  
DIRECTOR OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,528	01/17/2002	Edward E. Elson	0229

Gene W. Arant

Post Office Box 0269

Lincoln City, OR. 97367

Date Mailed: 02/21/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application:

The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). **A surcharge is not required when supplying this item.**

**X** Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

**X** Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, **payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.**

A copy of this notice **MUST** be returned with the reply.

Office of Initial Patent Examination (703)308-1202



**GENE W. ARANT**  
REGISTERED PATENT ATTORNEY  
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**EXPRESS MAIL CERTIFICATE**

Date 1/17/02 Label No. EF10404047545  
I hereby certify that, on the date indicated above, I deposited  
this paper or fee with the U.S. Postal Service and that it was  
addressed for delivery to Box Reissue, Assistant Commissioner  
for Patents, Washington, DC 20231 by "Express Mail Post  
Office to Addressee" service.

Shirley Dunne Shirley Dunne  
Shirley Dunne (Print) Signature

January 17, 2002

Box Reissue  
Assistant Commissioner for Patents  
Washington, DC 20231

Re: Filing of Reissue Patent Application  
Lawrence R. Koh, Applicant  
Our Docket No.:0229

Dear Sir:

Transmitted herewith for filing is an application for reissue of patent number 6,015,397, issued Jan. 18, 2000 to Edward E. Elson and Lawrence R. Koh for NEEDLE POINT GUARD SAFETY CAP ASSEMBLY, our Docket No. 0229.

This reissue application contains the original patent including the cover page, five (5) sheets of Drawings; with Figures 1 - 10; Abstract on the cover page; Specification, columns one to eight; and Claims one to twenty-two on columns eight to twelve. Also included as a part of the application is a proposed Amendment consisting of pages 1 to 18.

The original U.S. Patent was assigned to Lawrence R. Koh. A copy of the assignment document is enclosed, with the recordation on November 2, 1998, at Reel/Frame: 9567/0209. There has been no subsequent reassignment. Lawrence R. Koh is the Applicant in this application.

Lawrence R. Koh's address has changed from: 11755 Wilshire Blvd., 9<sup>th</sup> Floor, Los Angeles, CA 90025 to: 4113 Woodman Avenue, Sherman Oaks, CA 91423.

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Filing of Application to Reissue Patent 6,015,397  
Lawrence R. Koh, Applicant

There is no present litigation regarding the issued patent and there has been none before this date.

This application has no requested changes in original drawings.

This application has no requested changes in original specifications.

This application has no requested changes in original claims.

All original claims are being resubmitted and none are being canceled.

New claims 23 through 61 are being submitted. All new claims are clearly supported by the original drawings.

**THE APPLICANT CLAIMS SMALL ENTITY STATUS.**

Reissue Application Declarations executed by both inventors are enclosed. Mr. Koh, by signing the Declaration, has consented to the reissue proceedings.


All documents are in English, and the inventorship of all claims is the same.

Also enclosed in a separate package is IDS Form PTO/SB/08A, together with copies of 26 prior art references listed therein.

Also enclosed is a check for \$ 1225.00 for the filing fee. If additional fees are required for filing the application, please charge to deposit account No. 012226 of the undersigned. Any overpayment should be refunded to that account. Also enclosed is a self-addressed, stamped postcard.

Sincerely,

*January 17, 2002*

  
Gene W. Arant  
Reg. Patent Attorney #17,936

GWA/sj  
Encls

PN



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MP # 3

**GENE W. ARANT**  
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April 12, 2002

Commissioner for Patents  
Washington, D.C. 20231

**ATTN: Customer Service Center  
Initial Patent Examination Division**

**Re: RESPONSE TO NOTICES TO FILE MISSING PARTS OF REISSUE  
APPLICATION No. 10/052,528- Filing Date: 011/17/2002  
First Named Applicant: Edward E. Elson - Our Reference: 0229**

Dear Sir:

Enclosed are copies of your two Notices marked with mailing dates of February 21 and March 15, 2002. We are quite certain that all necessary documents were filed, but nevertheless, to avoid any further questions we submit our check for \$65.00 for the surcharge.

Upon reviewing our file copy of the above-referenced reissue application, we believe that the sequence in which the various portions of the document were arranged may have been confusing. In particular, we note that the Reissue Application Declaration by the Inventor, 3 pages, that included signature pages of both inventors, Mr. Elson and Mr. Koh, was packaged with the IDS statement.

As to the assignee's statement establishing ownership of the patent under 37 CFR 3.73(b), our cover letter dated January 17, 2002, itemized all documents we were filing. Attached to that letter were the Notice of Recordation of Assignment Document (2 pages), and a copy of the Assignment document signed by Mr. Elson and dated 10/21/98. Our letter and the accompanying Declaration and assignment papers together met the requirement of Rule 3.73(b).

Your office already has all of the original documents. For your convenient reference, we enclose additional copies of the Reissue Application Declaration; of our letter dated January 17, 2002; and of all pertinent assignment documents, including the Assignment document signed by Mr. Elson and dated October 21, 1998 and the Notice of Recordation of Assignment.

Commissioner for Patents  
April 12, 2002  
Page 2 of 2

If the Office determines that the surcharge is inappropriate, please credit Deposit Account 01-2226 of the undersigned or return the check to our office address.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Gene W. Arant", written over a horizontal line.

Gene W. Arant  
Attorney for Applicant

Enclosures:

Copies of two Notices  
Check #1426 for \$65  
Our letter dated January 17, 2002  
Reissue Application Declaration by Inventors, 3 pages  
Assignment documents, 4 pages